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County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

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April 21, 2005

Industry Mailing List

RE: REPEAL OF THE COUNTY OF SAN DIEGO'S METHANE TESTING ORDINANCE

To Whom It May Concern:

On April 20, 2005, the County Board of Supervisors repealed Chapter 3 of Division 6 of Title 8 of the San Diego County Code Related to Methane Gas Testing in the Unincorporated Areas of San Diego County. This decision was based upon staff's analysis of field tests conducted on various subdivisions located throughout San Diego County and the completion of a methane gas migration model, which determined that potentially hazardous concentrations of methane would not accumulate on the interior of a structure, even in the absence of methane mitigation.

What this decision means is that, effective May 20, 2005, the County of San Diego will no longer require methane testing or associated mitigation for any development projects located on mass graded sites. If you have active building permits that have been issued with a condition to conduct methane testing and monitoring, this letter will serve as notification that the condition is hereby waived effective May 20th.

County staff understands that over the years, the owners of lots in various subdivisions were required to record a deed restriction, or similar instrument, establishing permanent methane-monitoring requirements. This letter will also serve as notification that as a result of the repeal of the County's Methane Gas Testing Ordinance, methane-monitoring for lots on mass graded sites is no longer required. We recommend that property owners who wish to remove the restrictions consult with their own legal counsel to determine how best to remove the recorded restrictions from their property.

If you should have any questions pertaining to this decision, please feel free to contact me at (858) 694-3730 or via email at jeff.murphy@sdcounty.ca.gov or Clay Westling at (858) 495-5082 or via email at clay.westling@sdcounty.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Murphy", with a stylized flourish at the end.

JEFF MURPHY, Chief
Building Division – Department of Planning and Land Use

Attachments: Ordinance Repealing Chapter 3 of Division 6 of Title 8 of the San Diego County Code Related to Methane Gas Testing in the Unincorporated Areas of San Diego County